

December 12, 1997

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, DC 20554

Dear Ms. Salas:

Enclosed is Roome Telecommunications, Inc. (RTI) revised Petition for Waiver of the January 1, 1998 implementation date for 4-Digit CIC. Also enclosed is one copy of the petition to be stamped and returned in the enclosed self addressed stamped envelope.

Any questions regarding this filing may be directed to me at (503) 624-7075 or Rick Petersen of RTI at (541) 369-2211 ext. 225.

Sincerely,

Jeffrey H. Smith

cc: Service List

Encl.

RTI 4-Digit CIC Waiver  
CC Docket No. 92-237  
December 12, 1997

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RTI 4-Digit CIC Waiver  
CC Docket No. 92-237  
December 12, 1997

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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FCC - ALBANY

In the Matter of )

Administration of the )

North American Numbering Plan, )

Carrier Identification Codes (CICs) )

CC Docket No. 92-237

PETITION OF ROOME TELECOMMUNICATIONS INC.(RTI)  
FOR WAIVER OF THE JANUARY 1, 1998 IMPLEMENTATION  
DATE FOR 4-DIGIT CIC

GVNW, Inc.  
7125 SW Hampton  
Portland, Oregon 97223

Date Submitted: December 12, 1997

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RTI 4-Digit CIC Waiver  
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In the Matter of )

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CC Docket No. 92-237

PETITION OF ROOME TELECOMMUNICATIONS, INC. (RTI)  
FOR WAIVER OF THE JANUARY 1, 1998 IMPLEMENTATION  
DATE FOR 4-DIGIT CIC

**I. Introduction**

Roome Telecommunications Inc. (hereafter RTI), by their consultant, and pursuant to the Order on Reconsideration, Order on Application for Review, and Second Further Notice of Proposed Rulemaking, CC Docket No. 92-237, (hereafter "the Order"), hereby request a temporary waiver of the requirement that all Local Exchange Carriers ("LECs") that are equal access complete upgrades to their switches to recognize four digit CICs by January 1, 1998.

In the Order, the FCC reaffirmed its requirement that LECs that provide equal access must convert their switches to accept four digit CICs by January 1, 1998. The FCC also extended the permissive period to June 30, 1998 during which three and four digit CICs would continue to be accepted.

Paragraph 20 of the Order reads, "First, we determine that LEC end office switches must be upgraded to accept four-digit CICs by January 1, 1998. Second, we

determine that the transition during which use of both three-digit CICs and five-digit CACs may continue will end on June 30, 1998, rather than on January 1, 1998.”

Further, paragraph 24 states, “If we receive a complaint of LEC noncompliance, infeasibility with that deadline will not relieve a defendant LEC of liability under section 208 of the Commission’s rules. A LEC that determines that it will not meet the January 1, 1998 conversion deadline must seek relief from the Commission prior to that date.”

The purpose of this instant petition is to obtain such relief from the Commission. Section 1.3 of the Commission’s rules permits the Commission to authorize a waiver of its rules “if good cause is therefore shown.”<sup>1</sup> A waiver of the Commission’s rules is appropriate if special circumstances warrant a deviation from the general rule<sup>2</sup> and such a deviation will serve the public interest. In similar waiver requests, the FCC has evaluated such petitions by weighing the following factors: the LEC’s diligence in upgrading its switches; the availability from manufacturers of products required to accomplish the upgrade; and the impact of an extension of the conversion deadline on the IXCs served by the LECs switches and on customers’ ability to reach IXCs through CAC dialing. RTI will demonstrate that a waiver of the Commission’s December 31, 1997 timing requirement is necessary and appropriate as well as in the public interest.

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<sup>1</sup> 47 C.F.R. § 1.3

<sup>2</sup> Northeast Cellular Tel. Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990), WAIT Radio v. FCC, 418 F.2d 1153 (D.C. Cir. 1969).

## **II. Background**

RTI serves one exchange, Halsey, which provides service to approximately 798 access lines, 17 payphones and 5 hotel/motel lines. The exchange is currently served by an Alcatel E10-FIVE switch with the generic software version 6.1. This switch and generic software were installed in December, 1987, and do not accommodate the changes.

Thus, in order to comply with the FCC's Order, RTI must replace its switch. This replacement was initially planned for the start of 4Q 1997. Due to circumstances beyond RTI's control, it became necessary to change switching vendors. The process of installing a Siemens EWSD so as to accommodate the four digit-CIC and seven digit CAC is underway, and RTI is expeditiously working with its new vendor to complete this task at the earliest possible date.

RTI anticipates completing the installation of its new Siemens EWSD by mid-April 1998. RTI has received assurances from the manufacturer that testing will be completed in order for RTI to comply with the FCC's June 30, 1998 permissive period deadline. Based on the aforementioned information, RTI respectfully requests a waiver until June 30, 1998.

RTI invested in digital switching technology in 1987, bringing the benefits of digital technology to its rural customers. These investments were made before switch manufacturers made 4-digit CIC capabilities available. However, due to the unexpected need to change the selection of a switching vendor, RTI now finds itself in the position of not being able to completely comply with the Commission's ordered January 1, 1998 4-digit CIC/7-digit CAC requirement.

### **III. A Waiver of the Commission Rules is Necessary and in the Public Interest**

RTI has taken immediate action to begin the process of achieving compliance with the Commission's requirements. RTI is faced with a considerable expenditures of funds (\$944,618) for the sole purpose of complying with the FCC's order. Without that requirement, they would have been able to provide adequate service to their rural customers for as long as the next three to five years without making these expenditures.

RTI, however, is making plans to comply with the requirement as quickly as possible, particularly in order to be able to fully meet the requirement prior to June 30, 1998. In view of the substantial expenditures that will need to be made to serve a relatively small number of subscribers, failing to grant a waiver request would not benefit the public. RTI is moving forward to implement the FCC requirements as quickly as is feasible with the vendors schedule. The end user customers are being, and have been provided, equal access and presubscription for several years. They have and will be able to continue to choose several carriers for presubscription purposes. During the interim period until the full requirements can be met, only casual dialing needs cannot be fulfilled. RTI serves relatively few pay telephone locations and even fewer hotels and motels where casual dialing is more likely to occur. RTI therefore requests that it be granted the additional 180 days in order to fully comply with the FCC's timing requirements.

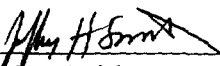


#### **IV. Conclusion**

RTI is actively pursuing remedies to meet the FCC's requirement as soon as possible. As demonstrated above, RTI has taken immediate action to remedy its situation in order to meet with the FCC's timing requirements. Grant of the instant petition will serve the public interest and will allow RTI to complete its switch replacement well ahead of the FCC's required effective date for the end of the permissive period.

RTI has been diligent in its switch upgrade program, having provided digital technology to its customers for the last decade. Due to an unusual set of circumstances, RTI was delayed in replacing its Alcatel switch. RTI is now scheduled to have completed the switching replacement by the end of the second quarter 1998.


RTI submits that the public interest will be better served by a waiver of the December 31, 1997 date and that grant of this petition would be consistent with the policies underlying these rules. Good cause having been shown, RTI respectfully request the Commission grant the petition.

  
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Jeffrey H. Smith  
GVNW Inc./Management

**DECLARATION OF Rick Petersen**  
**VP/Operations Manager, Roome Telecommunications Inc. (RTI)**

I, Rick Petersen of RTI, do hereby declare under penalties of perjury that I have read the foregoing "Petition for Waiver" and the information contained therein regarding RTI is true and accurate to the best of my knowledge, information, and belief.

Date: 12-12-97

  
Rick Petersen  
Roome Telecommunications Inc.